



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

Mail Code - 401-02B
Division of Water Quality
Bureau of Nonpoint Pollution Control
P.O. Box 420 – 401 E. State St.
Trenton, NJ 08625-0420
Tel: (609) 633-7021 / Fax: (609) 777-0432
http://www.state.nj.us/dep/dwq/bnpc_home.htm

December 27, 2012

To: Permittees Eligible under the Basic Industrial General Stormwater Permit (5G2)

Re: Issuance of Final Renewal Basic Industrial General Stormwater Permit (5G2)
New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0088315

Dear Interested Party:

The **final** renewal of the Basic Industrial Stormwater General Permit (general permit) identified above has been issued in accordance with N.J.A.C. 7:14A. A complete copy of the general permit, which is effective February 1, 2013 and expires on January 31, 2018, can be viewed on the internet at www.state.nj.us/dep/dwq/ under "Featured Topics".

During the public comment period, comments on the draft action were received from the Delaware Riverkeeper Network. A summary of the significant and relevant comments received and the Department's responses have been included in the Response to Comments document prepared pursuant to N.J.A.C. 7:14A-15.16. No changes from the draft action were made in response to the submitted comments. Pursuant to N.J.A.C. 7:14A-15.15, the Response to Comments document was sent to each person who submitted written comments, along with notice of the Department's decision to issue the final renewal general permit.

If you have questions or comments regarding the Final general permit action, please contact Kerri Standowski at Kerri.Standowski@dep.state.nj.us or (609) 633-7021.

Sincerely,

Brian McLendon, Supervisor
Bureau of Nonpoint Pollution Control
Water Pollution Management Element



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RESPONSE TO COMMENTS

Comments were received on the draft NJPDES Permit Renewal No. NJ0088315 issued on September 19, 2012. The thirty (30) day public comment period began on September 19, 2012 when the Public Notice was published in *The Trenton Times*, *The Star Ledger*, *The Atlantic City Press* and in the *DEP Bulletin*. The thirty (30) day public comment period ended on October 19, 2012. The following person commented during the public comment period:

1. Maya van Rossum, Delaware Riverkeeper Network, in a letter dated October 19, 2012.

A summary of the timely and significant comments received and the New Jersey Department of Environmental Protection's (Department's) responses have been included below:

1. **COMMENT:**

[Inspection Schedule, Part I, Section E.5.a.]

The Delaware Riverkeeper Network (DRN) is concerned that because of the frequency of precipitation events throughout the year in New Jersey and the Department's inability to undertake inspection of even a small percentage of the more than two thousand (2,000) facilities that will be enrolled in this permit, permittees should be required to conduct weekly or biweekly (twice a month) inspections to ensure that BMPs are being complied with.

RESPONSE:

The Department disagrees with the commenter. The proposed self-monitoring requirements are consistent with both Federal National Pollutant Discharge Elimination System (NPDES) permits and other New Jersey Pollutant Discharge Elimination System (NJPDES) stormwater permits that require monitoring at a frequency no greater than monthly.

The permit renewal proposes modification to this part of the permit by revising the inspection schedule language from the vague "regular maintenance inspections" in the existing permit to the more prescriptive "monthly maintenance inspections". Requiring documented weekly or biweekly inspections may be onerous and provide no tangible benefit to the permitted facility or the environment. A permitted facility may conduct more frequent self-monitoring at its own discretion. However, the Department feels that documented monthly inspections are

sufficient for purposes of this permit, which is intended for facilities engaged in “light industrial activity”.

As the commenter correctly points out, there are more than two thousand (2,000) facilities enrolled in this permit. The Department inspects each facility authorized under the General Permit at least once during each permit cycle. It would not be possible for the Department to monitor each facility more frequently, which is why the Department relies on each permitted facility to self-monitor and submit an annual compliance certification. The Department’s inspection includes a review of all self-monitoring inspection reports and certifications to evaluate permit compliance. If upon inspection, the Department determines that a facility is not in compliance with the permit requirements, appropriate enforcement action will be initiated, which may result in increased compliance inspections on a case-by-case basis. If the Department determines that a facility cannot fully eliminate exposure of source materials and/or industrial activity to stormwater discharges in order to meet the requirements of the permit, the Department will require the facility to cease that discharge and/or apply for another NJPDES permit.

2. COMMENT:

[Eligibility, Part I, Section B.1]

DRN comments that there are currently seven (7) boatyards enrolled in the Basic Industrial Stormwater General Permit. DRN adds that “boatyard facilities engage in ship building and ship repair services and conduct pressure washing, painting, and welding operations,” and stated that “these activities result in the presence of heavy metals like copper, lead, and zinc at the facility and can easily contaminate stormwater flows.” DRN requests that because of the inherent “dirty” nature of these facilities, the Department should not regulate the boatyard industry under this permit. Instead DRN believes that all boatyards, whether the facility claims no exposure to stormwater or not, should be subject to monitoring and reporting requirements tied to specific benchmarks for copper, oil/grease, total suspended solids, zinc, and lead.

RESPONSE:

The Basic Industrial Stormwater General Permit is available to any facility that can eliminate the exposure of source materials and/or industrial activities to stormwater discharges. The Department agrees that many boatyard facilities engage in activities that could result in stormwater discharges that are not authorized by or eligible under this permit. However, the Department cannot assume that all boatyards are ineligible to be regulated under this general permit. If upon inspection, it is determined that a facility cannot fully eliminate exposure to meet the requirements of the permit, the Department will require the facility to cease that discharge and/or apply for another NJPDES permit (see response to comment 1. above). As a result of this comment, the Department will follow up with the listed facilities to ensure that they are properly permitted.

3. COMMENT:

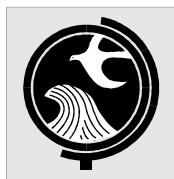
[Eligibility, Part I, Section B.1]

DRN comments that the overwhelming majority of transportation facilities permitted under the Basic Industrial Stormwater General Permit are exposed to stormwater. DRN adds that transportation facilities are more susceptible to oil and/or grease deposition due to the storage of vehicles onsite and requests stricter regulation for these facilities, even if federal law does not so require.

RESPONSE:

Regulated transportation operations with “stormwater discharges associated with industrial activity” are defined at N.J.A.C. 7:14A-1.2, and only include those facilities “which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations”. The Basic Industrial Stormwater General Permit is available to all regulated entities and does not have varying requirements or stricter regulations for different types of industries. The permit requires all authorized facilities to eliminate the exposure of source materials and/or industrial activities to stormwater discharges, regardless of the industrial activity.

In accordance with 7:14A-24.6(f)2., “Adequately maintained vehicles in normal operating condition used in material handling,” are not considered industrial materials. This exemption prevents the Department from requiring regulated transportation facilities that are otherwise in compliance with their Basic Industrial General Permit or non-regulated operations to apply for a NJPDES permit to control unregulated discharges. However, if upon inspection, it is determined that a regulated facility cannot meet the requirements of the Basic Industrial Stormwater General Permit, or it can be determined in accordance with N.J.A.C. 7:14A-24.2(a)7.ii. that an unregulated discharge(s) “contributes to a violation of a surface water quality standard, or is a significant contributor of pollutants to surface water,” the facility will be required to cease that discharge and/or apply for an appropriate NJPDES permit.



NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

The New Jersey Department of Environmental Protection hereby grants you a NJPDES permit for the facility/activity named in this document. This permit is the regulatory mechanism used by the Department to help ensure your discharge will not harm the environment. By complying with the terms and conditions specified, you are assuming an important role in protecting New Jersey's valuable water resources. Your acceptance of this permit is an agreement to conform with all of its provisions when constructing, installing, modifying, or operating any facility for the collection, treatment, or discharge of pollutants to waters of the state. If you have any questions about this document, please feel free to contact the Department representative listed in the permit cover letter. Your cooperation in helping us protect and safeguard our state's environment is appreciated.

Permit Number: NJ0088315

Basic Industrial Stormwater General Permit Renewal

Permittee:

NJPDES Master General Permit Program Interest
Category 5G2
Per Individual Notice of Authorization
Division of Water Quality
401-02B; P.O. Box 420
401 East State Street
Trenton, NJ 08625

Co-Permittee:

Property Owner:

NJPDES Master General Permit Program Interest
Category 5G2
Per Individual Notice of Authorization
Division of Water Quality
401-02B; P.O. Box 420
401 East State Street
Trenton, NJ 08625

Location Of Activity:

NJPDES Master General Permit Program Interest
Category 5G2
Per Individual Notice of Authorization
Division of Water Quality
401-02B; P.O. Box 420
401 East State Street
Trenton, NJ 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
Basic Industrial Stormwater General Permit – NJ0088315 (5G2)	12/27/2012	02/01/2013	01/31/2018

By Authority of:
Commissioner's Office

DEP AUTHORIZATION
Brian McLendon, Supervisor
Bureau of Nonpoint Pollution Control
Water Pollution Management Element

(Terms, conditions and provisions attached hereto)

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PART I

NARRATIVE REQUIREMENTS

Basic Industrial Stormwater GP - NJ0088315 (5G2)

A. Permit Scope

1. Geographic Area

- a. The Basic Industrial Stormwater General Permit applies to all areas of the State of New Jersey.

2. Authorized Discharges

- a. The Basic Industrial Stormwater General Permit ("permit") authorizes:
 - i. industrial stormwater discharges to the surface and/or ground waters of the State ("waters of the State") for facilities that can eliminate the exposure of source materials and/or industrial activity to stormwater discharges, as defined in Part 1.J.

B. Eligibility

1. Eligibility for Authorization

- a. This permit authorizes stormwater discharges to waters of the State from facilities that can eliminate the exposure of source materials and/or industrial activity to stormwater discharges, except for the following:
 - i. Stormwater discharges subject to federal effluent guideline limitations for stormwater (see 40 CFR, Chapter I, Subchapter N);
 - ii. Stormwater discharges authorized under another NJPDES Discharges to Surface Water (DSW) or Discharge to Ground Water (DGW) permit (including an expired permit), or combined with domestic wastewater or process wastewater prior to treatment;
 - iii. Stormwater discharges that require authorization under NJPDES Permit No. NJ0088323 (a separate general permit for stormwater discharges from certain construction activities);
 - iv. Stormwater discharges from facilities with active "sanitary landfills" as defined in N.J.A.C. 7:26-1.4 or hazardous waste landfills subject to N.J.A.C. 7:26G, unless those landfills have been closed in compliance with N.J.A.C. 7:26-2A.9 (the Solid Waste rules) or N.J.A.C. 7:26G (the Hazardous Waste rules), the appropriate certifications have been submitted in accordance with N.J.A.C. 7:26 or N.J.A.C. 7:26G, and the landfills are not disrupted in a manner that exposes solid waste to the stormwater discharge and/or the landfill is not disrupted. Such closed landfills are eligible for authorization under this permit; and
 - v. Stormwater discharges from projects or activities that conflict with an adopted WQM plan.
- b. Facilities which are not eligible for authorization under this permit should contact the Bureau of Nonpoint Pollution Control at (609) 633-7021 to discuss other permitting options.

C. Summary of Permit Requirements

1. Eliminate Exposure

- a. Every facility authorized under this permit shall eliminate the exposure of source materials and/ or industrial activities to stormwater discharges as required in Part 1.D.

2. Prepare and Implement a Stormwater Pollution Prevention Plan (SPPP)

- a. Newly authorized facilities shall prepare and implement a SPPP that contains the contents required in Part 1. E.
- b. Facilities being reauthorized as part of the automatic renewal shall update their SPPP to include all contents required in Part 1. E.

3. Conduct Annual Inspections

- a. Facilities shall conduct annual self-inspections, as required in Part 1. F, to ensure that they are in compliance with their SPPP and that their Best Management Practices (BMPs) are effectively eliminating the exposure of source materials and/ or industrial activity to stormwater discharges.

4. Submit Certifications

- a. SPPP Preparation and Implementation Certification
 - i. Newly Authorized Facilities shall submit the Department's Certification Form, certifying that they have prepared and implemented a SPPP within the time frame specified in Part 1. G.
 - ii. Facilities being reauthorized as part of the automatic renewal shall submit the Department's Certification Form, certifying that they have updated their SPPP with their Annual Certification as specified in Part 1.G.
- b. Annual Certification
 - i. Annually, facilities shall submit the Department's Certification Form certifying that they have conducted an annual self-inspection and that they are in compliance with all permit conditions as required in Part 1.G.

D. Eliminate Exposure

1. SPPP General Requirements

- a. Every facility authorized under this permit shall eliminate the exposure of source materials and/ or industrial activity to stormwater discharges through the preparation and implementation of a SPPP that includes the contents required in Part 1.E.
- b. The SPPP shall accurately reflect and account for all facility operations that generate industrial stormwater discharges to the waters of the State.
- c. The SPPP shall be signed, dated, and retained onsite and available for Department inspection.

2. Amendments to the SPPP

- a. Changes to facility operations shall be reflected in the SPPP to ensure that the facility continues to eliminate the exposure of source materials and/ or industrial activity to stormwater discharges.
- b. Any amended SPPP shall be resigned, dated, and retained onsite and available for Department inspection.

3. Obligation to provide copies and/ or allow review of the SPPP

- a. The permittee shall provide a copy of the SPPP and the certifications required by the permit to the owner(s) of the facility.
- b. The permittee shall make the SPPP available or provide a copy upon request to the owner and/or operator of any municipal separate storm sewer system through which the industrial stormwater is discharged.
- c. The permittee shall make the SPPP available or provide a copy upon request to an authorized representative of the Department.
 - i. Upon review by an authorized representative, the Department may notify the permittee at any time that the SPPP does not meet one or more of the permit requirements.
 - ii. Within thirty (30) days after receiving such notification (unless otherwise specified by the Department), the SPPP shall be amended to adequately address all deficiencies.

E. Contents of a Stormwater Pollution Prevention Plan

1. Inventory Requirements

- a. Include a detailed description of all source materials used, stored, or otherwise located at the facility and all industrial activities conducted at the facility, including seasonal activities that are exposed to stormwater runoff.
- b. Include a list of any domestic sewage, non-contact cooling water, equipment and vehicle wash wastewater, or process wastewater (including , but not limited to, leachate, contact cooling water, pressure-wash wastewater, hydro-blasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater) other than stormwater, which is generated at the facility and discharged through separate storm sewers to surface waters, or discharges to ground water.
 - i. For discharges identified above, list any final or draft NJPDES permits, pending NJPDES permit applications, or pending requests for authorization under another general NJPDES permit (including the NJPDES permit number where available).
- c. Include a list of all other permit approvals issued by the NJDEP for the facility for the activities listed above (i.e. air, solid waste, land use, etc.).

2. Mapping Requirements

- a. Include a map (drawn to scale) of the entire facility that contains the following:
 - i. the property boundary;
 - ii. the location(s) of existing buildings and other permanent structures;
 - iii. all paved areas, including roads and access areas;
 - iv. stormwater control features including but not limited to drainage patterns, stormwater conveyances (e.g. stormwater catch basins, downspouts [where there is industrial activity on the roof], overland flow, swales, ditches and channels, and storm sewer pipes), designed stormwater basins (e.g. infiltration, detention, retention) and the location of all stormwater discharge structures;

- v. the location(s), if any, where sanitary sewage, non-contact cooling water, equipment and vehicle wash wastewater, or process wastewater (including, but not limited to leachate, contact cooling water, pressure-wash wastewater, hydro-blasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater) generated by the facility enters a storm water conveyance that discharges to the waters of the State; and
- vi. the delineation of the areas regulated by this permit, including all source material storage areas and industrial activities conducted onsite.

3. Best Management Practices

- a. Include a list of the BMPs that are implemented at the facility in the areas regulated by this permit as identified in the mapping requirements in E.2 above to eliminate the exposure of source materials and/ or industrial activity to stormwater discharges.

4. Maintenance Plan

- a. Include a plan that ensures regular, preventative maintenance and appropriate repairs, including replacement of all structural BMPs and the updating of non-structural BMPs such as Standard Operating Procedures (SOPs).

5. Inspection Schedule

- a. Monthly maintenance inspections shall be conducted to ensure that all BMPs identified in the SPPP are being properly implemented and/ or maintained.
- b. Record any problems identified and the corrective action(s) implemented.
- c. All monthly inspection records shall be maintained onsite and available for Department inspection.
- d. Annual inspections shall be conducted in accordance with Section F.

6. Additional Requirements

- a. The SPPP shall include (or cite the location of) the following requirements, if applicable:
 - i. any spill reports prepared under section 313 in Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, 42 U.S.C. 9601 et seq;
 - ii. any Spill Prevention Control and Countermeasure Plan (SPCC Plan) prepared under 40 CFR 112 and section 311 of the Clean Water Act, 33 U.S.C. 1321; any Discharge Prevention, Containment and Countermeasure Plan (DPCC Plan); and Discharge Cleanup and Removal Plan (DCR Plan) prepared under N.J.A.C. 7:1E; and
 - iii. for any industrial stormwater discharges through a municipal separate storm sewer system that has a final NJPDDES discharge permit, compliance with all applicable requirements of the municipal stormwater program developed under that permit.

7. Employee Training

- a. Annually, employees shall be trained to ensure that they understand the requirements of the permit, including the proper implementation and/ or maintenance of all BMPs identified in the facilities SPPP.
 - i. Employees shall be trained on each aspect of your SPPP that is related to their daily responsibilities.

- b. All employee training records shall be maintained onsite and available for Department Inspection.

F. Annual Inspections

1. Annual Inspections

- a. The permittee shall conduct annual self-inspections of the facility to ensure that the SPPP is:
 - i. current and up-to-date;
 - ii. properly implemented; and
 - iii. effectively eliminating the exposure of source materials and/ or industrial activity to stormwater discharges, as regulated under this permit, through the implementation of structural and non-structural BMPs.

G. Permit Submittals and Deadlines

1. Submittal Requirements

- a. Each Newly Authorized Facility shall submit the Department's Certification Form within the time frames specified in G.2 below, certifying that they have:
 - i. prepared and implemented their SPPP; and
 - ii. conducted an annual inspection and are in compliance with their SPPP and the permit conditions.
- b. Each facility being reauthorized as part of the automatic renewal shall submit the Department's Certification Form within the time frames specified in G.3 below, certifying that they have:
 - i. updated their SPPP; and
 - ii. conducted an annual inspection and are in compliance with their SPPP and the permit conditions.
- c. The Department's Certification Form is available on the Department's web site at www.state.nj.us/dep/dwq/forms_storm.htm or by calling the Bureau of Nonpoint Pollution Control at (609) 633-7021.

2. Submittal Deadlines for Newly Authorized Facilities

- a. SPPP preparation and implementation certification(s) submittal requirements for Newly Authorized Facilities. (Note: Facilities being reauthorized as part of the automatic renewal that have previously submitted their SPPP preparation and implementation certification(s) are not required to resubmit these certifications.)
 - i. Submit the Certification Form certifying that the SPPP was prepared and implemented: within six (6) months from the effective date of permit authorization (EDPA).
- b. Annual Certification submittal requirements for Newly Authorized Facilities. (Note: The appropriate calendar quarter for this submittal is indicated on your Authorization to Discharge page.)
 - i. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the first calendar quarter beginning 6 months from the EDPA (January - March).
 - ii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the second calendar quarter beginning 6 months from the EDPA (April - June).

- iii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the third calendar quarter beginning 6 months from the EDPA (July - September).
- iv. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the fourth calendar quarter beginning 6 months from the EDPA (October - December).

3. Submittal Deadlines for Facilities Being Reauthorized as Part of the Automatic Renewal

- a. SPPP update certification submittal requirements for facilities being reauthorized as part of the automatic renewal.
 - i. Submit the Certification Form certifying that the SPPP was updated: with the Annual Certification.
- b. Annual Certification submittal requirements for facilities being reauthorized as part of the automatic renewal. (Note: The appropriate calendar quarter for this submittal is indicated on your Authorization to Discharge page.)
 - i. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the first calendar quarter, (January - March).
 - ii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the second calendar quarter, (April - June).
 - iii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the third calendar, (July - September).
 - iv. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the fourth calendar quarter, (October - December).

4. Where to Send All Permit Submittals

- a. All permit submittals shall be sent to the following address:
 - i. New Jersey Department of Environmental Protection
Mail Code 401-02B
Division of Water Quality
Bureau of Nonpoint Pollution Control
P.O. Box 420 - 401 E. State St., 3rd Floor
Trenton, New Jersey 08625-0420
- b. If you have completed and sent in the Agreement to Do Business Electronically, all permit submittals can be scanned and emailed to NJPDES_ADBE_signup@dep.state.nj.us

H. Enforcement Inspections and Permitting Options

1. Enforcement of Permit Conditions

- a. The Department's Water Compliance and Enforcement Element routinely inspects facilities authorized under this permit. If violations of permit conditions occur, a facility may receive a Notice of Violation (NOV) and may be subject to penalties, including significant monetary penalties up to \$50,000 per day, per violation, pursuant to the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq).

2. Applying for Another NJPDES Stormwater Permit

- a. If a facility authorized under this permit discovers, that the exposure of source materials and/or industrial activities to stormwater discharges has not been eliminated, or that the facility cannot comply with other provisions of this permit they should immediately contact the Bureau of Nonpoint Pollution Control at (609) 633-7021 or the Department's appropriate regional Bureau of Water Compliance and Enforcement to discuss permitting options.
- b. A facility that cannot comply with permit conditions may need to apply for an individual permit or for an industry specific general permit for its stormwater discharge. Authorization under this permit remains in effect until the date authorization under such other permit becomes effective or the Department revokes authorization under this permit..

I. General Conditions

1. Who Shall Submit the Request for Authorization

- a. A separate Request for Authorization (RFA) shall be submitted by each person who is an operating entity for any part of the facility requiring a NJPDES permit for their industrial stormwater discharges.
- b. When a facility is owned by one person but is currently operated by another person, the operating entity shall submit the RFA.
- c. Separate RFAs shall be submitted for separate facilities except for:
 - i. facilities that have the same operating entity and are located on contiguous properties.

2. Contents of a Complete Request for Authorization

- a. NJPDES-1 Form; and
- b. Supplemental Form.
- c. Additional information may be required by the Department to be included as part of the RFA if the Department determines that such additional information (including other data, reports, specifications, plans, permits, or other information) is reasonably necessary to determine whether to authorize the discharge under this permit.

3. Where to Submit a Request for Authorization

- a. To obtain authorization to discharge stormwater under this permit you must submit a complete RFA to the following address:
 - i. New Jersey Department of Environmental Protection
Mail Code 401-02B
Division of Water Quality
Permit Administration Section
P.O. Box 420 - 401 E. State St., 3rd Floor
Trenton, New Jersey 08625-0420
- b. If you have completed and sent in the Agreement to Do Business Electronically, the complete RFA can be scanned and emailed to NJPDES_ADBE_signup@dep.state.nj.us
- c. After review of the RFA, the Department will either:
 - i. Issue authorization under this permit. The authorization is effective on the date the Department issues the Authorization to Discharge; or

- ii. Deny authorization and require submittal of an application for an individual stormwater permit;
or
- iii. Deny authorization and require submittal of an RFA for another general permit.
- d. The Department shall issue or deny authorization within ninety (90) days of receipt of a complete RFA. If the Department fails to issue or deny authorization within ninety (90) days, the authorization shall be automatically issued.

4. Additional Notification

- a. Facilities that discharge industrial stormwater through a municipal separate storm sewer system shall also submit a copy of the completed RFA to the owner and/or operating entity of that system.
- b. Persons requesting authorization shall also submit a copy of the completed RFA to each owner (if any) of the facility who did not submit the RFA.

5. Deadline to Apply

- a. Pursuant to N.J.A.C. 7:14A-24.4, the deadline for requesting authorization under a stormwater general permit or applying for an individual NJPDES stormwater permit was April 1, 1993 (with limited exceptions) for any "stormwater discharge associated with industrial activity."
- b. The Department may accept an RFA submitted after the foregoing deadline; however the discharger is liable for violations that occurred prior to the submission of the RFA, including discharging without a permit.

6. Automatic Renewal

- a. Authorization under this permit will be automatically renewed when this permit is reissued as provided by N.J.A.C. 7:14A-6.13(d)9 so long as the discharge authorized under this permit continues to be eligible. The Department shall issue a notice of renewed authorization to the facility.
- b. If the facility is aware of any information in the most recently submitted RFA that is no longer true, accurate, and/or complete, the facility shall provide the correct information to the Department within ninety (90) days of the effective renewal authorization notice.

7. Extensions of Permit Deadlines

- a. The Department may grant up to a twelve (12) month extension to the deadline to implement the SPPP, if the facility submits a written request for such extension, at least thirty (30) days prior to the deadline, establishing to the Department's satisfaction that the Federal, State and local permits and approvals necessary for the construction of BMPs identified in the SPPP could not with due diligence be obtained within the time period set forth in the permit.

8. Permit Transfer - Change of Owner or Operating Entity

- a. Authorization under this permit may be automatically transferred to a new owner or operator with an industrial stormwater discharge at the same physical location pursuant to N.J.A.C. 7:14A-16.2(d) if the permittee provides written notice to the Department at least thirty (30) days prior to the proposed transfer date.
 - i. Permittees requesting a transfer of permit authorization should submit the Department's Application for Transfer of a Stormwater Permit form.

- b. If a permittee is moving their operations to a new physical location, the permit may not be transferred. The permittee must request a revocation for their existing permit authorization by submitting the Department's Request for Revocation form and submit a new RFA for their operations at the new location.
- c. The above mentioned forms are available on the Department's web site at http://www.state.nj.us/dep/dwq/forms_storm.htm or by calling the Bureau of Nonpoint Pollution Control at (609) 633-7021.

9. Other Laws

- a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local laws or regulations, including, but not limited to the Pinelands rules (N.J.A.C. 7:50), Discharge of Petroleum and other Hazardous Substances rules at N.J.A.C. 7:1E, and all other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

10. Discharge of Unauthorized Pollutants

- a. For stormwater discharges authorized by this permit, the permittee is exempt from N.J.A.C. 7:14A-6.2(a)2, which states that the discharge of any pollutant not specifically regulated in the NJPDES permit or listed and quantified in the NJPDES application or request for authorization, shall constitute a violation of the permit.

11. Operations and Maintenance Manual

- a. The facility is exempt from the requirement to prepare an operations and maintenance manual, required by N.J.A.C. 7:14A-6.12(c), for the discharge authorized by this permit.

12. Construction Activities

- a. This permit does not authorize the discharge of stormwater that is associated with construction activities (see subparagraph 1x of the definition of "stormwater discharge associated with industrial activity" and the definition of "stormwater discharge associated with small construction activity" in N.J.A.C. 7:14A-1.2). In general, this is the discharge of stormwater to surface water from construction activity that disturbs one or more acre(s). Any facility that operates a construction site with such a discharge shall submit a separate RFA or individual NJPDES DSW permit application for that discharge. An RFA submitted for the Basic Industrial Stormwater General Permit does not qualify as an RFA for such a discharge.
 - i. A RFA for stormwater discharges from construction activities (other than N.J. Department of Transportation construction activities) shall be submitted to the Department.
 - ii. If applying for an individual NJPDES DSW permit, submit the NJPDES 1 form, NJPDES Form RFC, and NJPDES Form R, Part A to the Department (see N.J.A.C. 7:14A-24.7).

J. Definitions

1. The following definitions apply to this permit.

- a. "Access Areas" means any immediate entry or egress (including roads and driveways) and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility.

- b. "Best Management Practices" or "BMPs" include, but are not limited to, structural and non structural controls, and operation and maintenance procedures which can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters. (see N.J.A.C. 7:14A-1.2 for the full definition)
- c. "Contiguous" means directly abutting, or separated by a general access roadway or other right of way (with at least part of one property directly across the right of way from at least part of the other property).
- d. "Facilities being reauthorized" means any existing facility that was permitted under the expired permit and will be automatically renewed pursuant to Part 1.I.6 of this permit.
- e. "Industrial Activity" means, but is not limited to, manufacturing, processing, disposing, storing, loading and unloading, transporting or conveying any raw material, intermediate product, final product, by-product, waste product or equipment. This also includes the treatment of a by-product or waste product and/or the maintenance of equipment associated with the regulated activity.
- f. "Industrial Stormwater" means water resulting from precipitation that discharges to the surface and/or ground waters of the State from areas of the facility where regulated activities occur and/or where exposed source materials are located
- g. "Newly Authorized Facilities" means any entity that is submitting a Request for Authorization (RFA) for a regulated activity.
- h. "Operating Entity" means any person who alone or along with other persons has primary management and operational decision-making authority over any part of a facility.
- i. "Process Wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by product, or waste product. Process wastewater includes, but is not limited to, leachate and contact cooling water, pressure-wash wastewater, hydro-blasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater. This definition includes the terms commercial wastewater and industrial wastewater as used in 40 CFR Part 503. (Please note that for the purposes of this NJPDES permit, the stormwater discharges regulated by this permit are not process wastewaters.)
- j. "Source Materials" mean any material(s) including but not limited to raw materials, intermediate products, final products, waste materials, by-products, industrial machinery, and fuels, lubricants, solvents, and detergents located at the facility that is directly or indirectly related to their industrial activities and which could be a source of pollutants in an industrial stormwater discharge.
- k. "Stormwater" means water resulting from precipitation (including rain or snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewerage or drainage facilities or conveyed by snow removal equipment.
- l. "Vehicle" means any device by which people, goods, property or material, is or may be transported upon the water, air or ground.

K. Standard Conditions

1. The following general conditions are incorporated by reference.

- a. General Permits N.J.A.C. 7:14A-6.13
- b. Penalties for Violations N.J.A.C. 7:14-8.1 et seq.

- c. Incorporation by Reference N.J.A.C. 7:14A-2.3
 - d. Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
 - e. Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
 - f. Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
 - g. Inspection and Entry N.J.A.C. 7:14A-2.11(e)
 - h. Enforcement Action N.J.A.C. 7:14A-2.9
 - i. Duty to Reapply N.J.A.C. 7:14A-4.2(e)3
 - j. Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
 - k. Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
 - l. Severability N.J.A.C. 7:14A-2.2
 - m. Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
 - n. Permit Actions N.J.A.C. 7:14A-2.7(c)
 - o. Reopener Clause N.J.A.C. 7:14A-6.2(a)10, 16.4(b) & 25.7(b)
 - p. Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
 - q. Consolidation of Permit Process N.J.A.C. 7:14A-15.5
 - r. Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
 - s. Fee Schedule N.J.A.C. 7:14A-3.1
 - t. UIC Corrective Action N.J.A.C. 7:14A-8.4
 - u. Additional Conditions Applicable to UIC Permits N.J.A.C. 7:14A-8.9
 - v. UIC Operating Criteria N.J.A.C. 7:14A-8.16
- 2. Operation And Maintenance**
- a. Need to Halt or Reduce not a Defense N.J.A.C. 7:14A-2.9(b)
 - b. Proper Operation and Maintenance N.J.A.C. 7:14A-6.12
- 3. Monitoring And Records**
- a. Monitoring N.J.A.C. 7:14A-6.5
 - b. Recordkeeping N.J.A.C. 7:14A-6.6
 - c. Signatory Requirements for Monitoring Reports N.J.A.C. 7:14A-6.9
- 4. Reporting Requirements**

- a. Planned Changes N.J.A.C. 7:14A-6.7
- b. Reporting of Monitoring Results N.J.A.C. 7:14A-6.8
- c. Noncompliance Reporting N.J.A.C. 7:14A-6.10 & 6.8(h)
- d. Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
- e. Written Reporting N.J.A.C. 7:14A-6.10(e) &(f) & 6.8(h)
- f. Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
- g. Compliance Schedules N.J.A.C. 7:14A-6.4
- h. Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No.NJ0088315
DST120003 Stormwater Discharge Master General Permit
Renewal